

REMARKS

The above Amendment and these Remarks are in response to the Office Action mailed April 4, 2008. Claims 1-28 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 1-28. The present response amends claims 1, 9, 15, and 21 and adds new claims 29 and 30, leaving for the Examiner's present consideration claims 1-30. Reconsideration of the rejections is respectfully requested.

I. Claim Objections – 35 USC § 102 & 35 USC § 103

Claims 1-2, 4-6, 21 and 23-25 and 28 are rejected under 35 USC 102(e) as being anticipated by Kemper, *et al.*, U.S. Patent No. 6,804,682.

Claims 3, 8-12, 14-18, 20, 22 and 27 are rejected under 35 USC 103(a) as being unpatentable over Kemper, *et al.* U.S. Patent No. 6,804,682 in view of Chan *et al.*, U.S. Patent Publication No. 2003/0028364).

Claims 7 and 26 are rejected under 35 USC 103(a) as being unpatentable over Kemper, *et al.* U.S. Patent No. 6,804,682 in view of Timbol (US 6,237,135).

Claims 13 and 19 are rejected under 35 USC 103(a) as being unpatentable over Kemper, *et al.* U.S. Patent No. 6,804,682 and Chan *et al.* (US 2003/0028364) in view of Timbol (US 6,237,135).

Here, independent claim 1 is amended to state “*each one of the at least one deployment descriptor describes run-time parameters particular to a given web server implementation, configuration information for application objects.*”

Kemper teaches a system providing compiler-assisted refactoring of a software application. In Kemper, the system can automatically save changes to files so that the source code is not in an inconsistent state. However, **Item 471 of Fig. 4** in Kemper only discloses a project pane that contains a list of the open project(s) and a tree view of the contents of the active

project. More importantly, Kemper provides no indication of the deployment descriptor that contains the deployment information that describes run-time parameters particular to a given web server implementation, configuration information for application objects and can be used by the builder to build the logical hierarchy of resources. Hence, Kemper does not teach organizing deployment information from all of an application's deployment descriptors into a logical hierarchy of resources.

Therefore, claim 1 is in allowable condition since Kemper cannot anticipate the present invention, nor can Kemper render the present invention obvious.

Similarly, independent claims 9, 15, and 21 should all be in allowable condition at least for the same reason as stated above.

Hence, dependent claims 2-8, and 29-30 which are based on allowable independent claim 1; dependent claims 10-14 which are based on allowable independent claim 9; dependent claim 16-20 which is based on allowable independent claim 15; and dependent claims 22-27 which are based on allowable independent claim 21 should all be in allowable condition as well.

Furthermore, the newly added dependent claims 29 states that "*the builder component is further capable of create a tree data structure that embodies hierarchical relationships of nested XML statements.*" More specifically in claims 30, a master tree data structure that "*represents the present state of all deployment descriptor files*" is created and refreshed based on a new tree data structure that is generated to represent "*deployment descriptor information based on the current state of source files in an application's project directory.*" Applicant respectfully submits that Kemper does not teach either the tree data structure that embodies hierarchical relationships of nested XML statements, or the master tree data structure and the new tree data structure. Hence, claims 29 and 30 should be in allowable condition at least for this separate reason.

Application No.: 10/772,613
Reply to Office Action dated: April 4, 2008
Reply dated: July 2, 2008

II. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting the issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: July 2, 2008

By: /Kuiran (Ted) Liu/
Kuiran (Ted) Liu
Reg. No. 60,039

Customer No. 23910
FLEISLER MEYER LLP
650 California Street, Fourteenth Floor
San Francisco, California 94108
Telephone: (415) 362-3800